

AFFIDAVIT

Sheriff's
Polk County



Office
Winter Haven, FL

FORM 6813A - Revised 06-27-10

Agency OR Number
FL0530000

INVEST NUMBER
130000375

JUVENILE

N

ADULT

BOOKING #

ORITS#

**IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK
COUNTY, FL**

SUBMITTING MEMBER **KIRKPATRICK, ROBERT JR**MEMBER # **5015**DATE/TIME OF ARREST/INCIDENT **1/3/2013 18:00:00**LOCATION OF INCIDENT **1891 JIM KEENE BL WINTER HAVEN**

NOTICE TO APPEAR

N

COMPLAINT AFFIDAVIT

ARREST REPORT

CITY OF **WINTER HAVEN (Unincorporated)**, COUNTY OF **POLK**, STATE OF **FLORIDA**

RIGHT THUMB PRINT

THE UNDERSIGNED AFFIANT SWEARS SHE/HIS HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON

01/03/13 ATAPPROXIMATELY **18:00:00** IN THE VICINITY OF **WINTER HAVEN****POLK COUNTY FLORIDA**

HOLD LAND, LORI MICHELLE

ALIAS

LAST FIRST MIDDLE ADDRESS **WINTER HAVEN, FL 33881** PHONE **(863**RACE/SEX **W/F** DOB **3/21/1971** HT **5'03** WT **150** EYE **BRO** HAIR **BRO** COMP **MED** BUILD **Medium**

SPEECH SCARS POB MARITAL STATUS

DI # ST FL SS# OCCUPATION

EMPLOYER/SCHOOL **POLK COUNTY SHERIFF'S OFFICE** PHONEJUV-PARENTS PHONE **n/a**

NOTICE TO APPEAR/OF APPOINTMENT

I AGREE TO APPEAR IN COURT/JAC AT **20** AT **AM/PM** TO ANSWER THE CHARGE(S) IN THIS COMPLAINT OR
TO PAY THE PRESCRIBED FINE FOR THIS OFFENSE. I UNDERSTAND THAT A WILLFUL FAILURE TO APPEAR WILL RESULT IN A WARRANT FOR
MY ARREST AND MAY BE A NEW OFFENSE (DO NOT BE LATE)

Defendant/Violator's Signature

Parent/Guardian Signature

Date

COMMITTED THE OFFENSE(S) OF:

Robbery w/o Firearm/Weapon	FSS/FAC/CO	812.13(2)(C) Counts: 1	LEVEL/DEGREE: F2
Unarmed Burglary - Occupied Dwelling - No	FSS/FAC/CO	810.02(3)(A) Counts: 1	LEVEL/DEGREE: F2

**AFFIDAVIT
CONTINUATION**

**Sheriff's
Polk County**



**Office
Winter Haven, FL**

FORM FD-013A - Revised (05/27/15)

Agency ORI Number
FL0530000

INCIDENT NUMBER
130000375

CH-DEFENDANT:

VICTIM(WITNESS):

PROBABLE CAUSE:

On 01/02/13, your affiant obtained a sworn, recorded statement from Beverly J. Roach. Roach stated approximately one (1) week prior to Christmas, she came in contact with an acquaintance whom she knows through her son, Skip Temple. The acquaintance is known as Lori Holland. Holland was attempting to give up custody of a Chihuahua dog identified as "MoJo." Holland allegedly had too many dogs at their house and could no longer adequately care for "MoJo."

B. Roach told Holland she knew of a friend who was looking for a Chihuahua dog for her family. B. Roach, in the presence of Holland, telephoned the friend (Harriet DiCesare), told her of the dog and asked if she (DiCesare) would like to have it. Harriet DiCesare agreed to take possession of the dog and told Roach she would give the dog to one of her family members if she were not able to keep it for herself (due to her ailing health).

B. Roach told Holland that DiCesare agreed to take possession of the dog. As a result, Holland handed over "MoJo" the dog to B. Roach along with a collar, knitted sweater and a packet of paperwork which included adoption information, vaccination and licensure certificates and the dog's medical history. Holland became upset and began crying as she "said goodbye" to the dog before departing Roach's residence.

That same afternoon, B. Roach delivered the dog, paperwork and the dog's accessories to Harriet DiCesare.

On 01/02/13, your affiant obtained a sworn, recorded statement from Harriet DiCesare. H. DiCesare confirmed she received a telephone call from B. Roach asking if she wanted "MoJo" the dog. H. DiCesare agreed to take possession of the dog and said she told Roach she would make certain it had a good home, whether that meant staying with her or one of her family members.

H. DiCesare further told your affiant she decided to give "MoJo" the dog to her aunt (Rosa DiCesare) on December 26, 2012. That afternoon, she took "MoJo" to R. DiCesare's and left it there to stay. She also took a red collar with the Rubies Vaccination tags attached and a red animal sweater. She further stated she retained the licensure and vaccination paperwork in her custody so R. DiCesare would not misplace the items.

On 01/02/03, your affiant obtained a sworn, recorded statement from Rosa DiCesare. R. DiCesare said she was given a dog ("MoJo") by her niece, Harriet DiCesare, on December 26, 2012. She said she immediately fell in love with the dog and began bonding with it right away.

R. DiCesare said she received a telephone call at approximately 1:00pm on December 29, 2012 from a woman who identified herself as "Lori". The subject stated she was the previous owner of "MoJo" and said she wanted to bring another sweater and a larger collar by the residence because she thought the one currently affixed to "MoJo" was possibly too small. "Lori" said she stopped by the residence (of R. DiCesare) that morning but she could not get anyone to answer the door.

"Lori" then asked R. DiCesare if she could stop by later in the day to visit with "MoJo" and to bring the collar and sweater by. R. DiCesare agreed to the visit and instructed "Lori" to call again prior to arriving.

R. DiCesare said at approximately 4:00pm that afternoon, she heard a knock at the front door of her residence. When she looked out the peephole, she saw a woman standing on the porch who did not have any items in her hands. Upon asking who was there, the woman responded "it's Lori."

R. DiCesare said she opened the door, greeted "Lori" and allowed her to come inside the residence. R. DiCesare again noticed "Lori" did not carry any items (specifically the sweater and collar) inside the residence. Immediately

AFFIDAVIT
CONTINUATION

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FORM #011A - Revised 05/25/10

Agency DHR Number
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INCIDENT NUMBER
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as "Lori" sat down in a chair in the living room, she told R. DiCesare "I'm here to take MoJo with me."

R. DiCesare said she became upset and told "Lori" that was not part of their agreement (allowing "Lori" to visit). She further stated "MoJo" was hers now and she loved the dog and did not want to give it up. R. DiCesare told "Lori" she has been caring for the dog for several days and they were growing fond of one another.

As R. DiCesare explained she was not going to give up custody of the dog, "Lori" began crying and stated she loved the dog and her nine year-old son was missing it. "Lori" said her son was upset and she promised him she would retrieve the dog and take it back home.

Over a period of the next thirty (30) minutes, "Lori" argued back and forth with R. DiCesare regarding ownership of the dog. R. DiCesare became emotionally upset as well and told "Lori" she was "a cheat, a liar, and a crook." Regardless of how many times R. DiCesare told "Lori" she was not giving up ownership of the dog, "Lori" continued to make excuses and reasons regarding why she was a better suitor for the dog and even offered to bring R. DiCesare another dog at some other time. R. DiCesare told "Lori" she did not want another dog and that "MoJo" belonged to her.

During the course of the argument, "MoJo" was sitting on the lap of "Lori." When R. DiCesare realized the situation was escalating further and "Lori" was not going to take 'No' for an answer, she (R. DiCesare) walked over and attempted to pick up "MoJo" from "Lori's" lap. As she picked up the dog, "Lori" pulled on the dog in a tug-of-war type of motion back and forth stating "No, you can't have the dog, I am going to take him with me."

As "MoJo" was being pulled back and forth, R. DiCesare saw he ("MoJo") was going to be hurt. At that time, R. DiCesare realized "Lori" had intentionally deceived her into believing she was bringing a collar and sweater for the dog, and further realized the act was simply a scheme to reacquire "MoJo." R. DiCesare told "Lori," "I just want to say good-bye to him-let me say good-bye." At that time, R. DiCesare said "Lori" relinquished "MoJo" unwillingly and allowed her to hug and kiss the dog good-bye.

After kissing the dog, R. DiCesare told "Lori" she was no longer welcome inside her residence because she was a thief and a crook. "Lori" collected "MoJo" and left the residence.

During the course of the interview, R. DiCesare stated several times she believed 'No' was not an option "Lori" was going to take regarding "MoJo." R. DiCesare stated she has ailing health problems and she was growing more anxious and upset as the argument continued, thus ultimately causing her to relinquish control of "MoJo."

It should be noted, Rosa DiCesare is an 82-year old retired Nun who lives alone. She was recently released from the hospital for triple-bypass heart surgery. She is also in the process of recovering from a recent hip surgery and utilizes a walker to assist her in moving about the residence.

SWORN TO AND SUBSCRIBED BEFORE ME, THE UNDERSIGNED AUTHORITY, THIS

3 DAY OF January 2013

This affidavit was electronically signed

BLACK, DARREN

5073

KIRKPATRICK, ROBERT JR

5015

DEPUTY CLERK/NOTARY PUBLIC

AF11A.1